

Appl. No. 10/650,051
Amdt. dated December 29, 2006
Reply to Office action of July 31, 2006

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Drawing Amendments

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The attached sheet of drawings includes changes to Fig. 3b. This sheet which includes Fig. 2d, 3a and 3b, replaces the original sheet including Fig. 2d, 3a and 3b. In Fig. 3b, the line separating elements "36" and "38" was moved upward.

Please approve the drawing changes that are marked in red on the accompanying "Annotated Sheet Showing Changes" of Fig(s). 3b. A formal "Replacement Sheet" of amended Fig. 3b is also enclosed.

Attachments: Replacement Sheet

Annotated Sheet Showing Changes

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Remarks/Arguments:

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Reconsideration of the application is requested.

Claims 1-9 and 12-18 remain in the application. Claims 1 and 12 have been amended. Claims 10, 11, 19, and 20 were previously cancelled.

In item 1 on page 2 of the above-identified Office action, the drawings have been objected to because the line separating the cable plug 36 and cable 38 in Fig. 3B appears to be superimposed upon the line framing the sensor carrier.

The Examiner stated that moving the line up or down slightly will visually separate the two parts. Fig. 3B has been changed as per the Examiner's suggestion. Therefore, the objection to the drawings by the Examiner has been overcome.

Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved.

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Appl. No. 10/650,051
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In item 3 on page 3 of the Office action, claims 1, 2, 5, 6-9, 12, 14, and 18 have been rejected as being fully anticipated by Menard (U.S. Patent No. 6,042,101) under 35 U.S.C. § 102.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 14, lines 14-26 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

the sensor electronics having an evaluation device for distinguishing between an exposure layer of the printing plates, the interlayers, and a rear of the printing plates.

Claim 12 calls for, *inter alia*:

distinguishing between an exposure layer of the printing plates, the interlayers, and a rear of the printing plates before providing the printing plates for further processing.

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The Menard reference discloses two different kinds of paper sensors (140 and 149).

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Menard discloses that the conductive paper sensor (149) detects the presence or absence of an interleaf, which may adhere to the underside of the media plate (M) (column 13, lines 40-45). Menard does not disclose that the conductive paper sensor (149) can distinguish between different surfaces of printing plates and interleaf layers.

As disclosed on page 16, line 26 to page 17, line 3 of the specification of the instant application the surfaces of printing plates may include plastic or other non-metallic carrier materials.

The reference does not show the sensor electronics having an evaluation device for distinguishing between an exposure layer of the printing plates, the interlayers, and a rear of the printing plates, as recited in claim 1 of the instant application. The Menard reference discloses a conductive paper sensor for detecting the presence of an interleaf, which may adhere to the underside of a media plate. Menard does not disclose sensor electronics that have an evaluation device for distinguishing between an exposure layer of the printing plates, the interlayers, and a rear of the printing plates.

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This is contrary to the invention of the instant application as claimed, in which the sensor electronics have an evaluation device for distinguishing between an exposure layer of the printing plates, the interlayers, and a rear of the printing plates.

Since claim 1 is believed to be allowable, dependent claims 2, 5, and 6-9 are believed to be allowable as well.

The following remarks pertain to claim 12.

The reference does not show distinguishing between an exposure layer of the printing plates, the interlayers, and a rear of the printing plates before providing the printing plates for further processing, as recited in claim 12 of the instant application. The Menard reference discloses a conductive paper sensor for detecting the presence of an interleaf, which may adhere to the underside of a media plate. Menard does not disclose distinguishing between an exposure layer of the printing plates, the interlayers, and a rear of the printing plates. This is contrary to the invention of the instant application as claimed, which recites distinguishing between an exposure layer of the printing plates, the interlayers, and a rear of the printing plates before providing the printing plates for further processing.

Appl. No. 10/650,051
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Since claim 12 is believed to be allowable, dependent claims
14 and 18 are believed to be allowable as well.

In item 5 on page 4 of the Office action, claim 16 has been rejected as being obvious over Menard (U.S. Patent No. 6,042,101) in view of Pratt (U.S. Patent No. 5,889,313) under 35 U.S.C. § 103. Pratt does not make up for the deficiencies of Menard. Since claim 1 is believed to be allowable, dependent claim 16 is believed to be allowable as well.

In item 6 on page 5 of the Office action, claims 3 and 13 have been rejected as being obvious over Menard (U.S. Patent No. 6,042,101) in view of Ganton (U.S. Patent No. 6,130,702) under 35 U.S.C. § 103. Ganton does not make up for the deficiencies of Menard. Since claims 1 and 12 are believed to be allowable, dependent claims 3 and 13 are believed to be allowable as well.

In item 7 on page 6 of the Office action, claims 4 and 15 have been rejected as being obvious over Menard (U.S. Patent No. 6,042,101) in view of Ganton (U.S. Patent No. 6,130,702) and further in view of Nakamura et al. (U.S. Patent No. 5,499,807) (hereinafter "Nakamura") under 35 U.S.C. § 103. Nakamura does not make up for the deficiencies of Menard and Ganton. Since

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claims 1 and 12 are believed to be allowable, dependent claims 4 and 15 are believed to be allowable as well.

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It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 12. Claims 1 and 12 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 12, they are believed to be patentable as well.

It is appreciatively noted from item 11 on page 8 of the Office action that claim 17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claims have not been amended as indicated by the Examiner, as the claims are believed to be patentable in their existing form.

In view of the foregoing, reconsideration and allowance of claims 1-9 and 12-18 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

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Petition for extension is herewith made. The extension fee for response within a period of two months pursuant to Section 1.136(a) in the amount of \$450 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Steiner LLP, No. 12-1099.

Respectfully submitted,



For Applicant(s)

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December 29, 2006

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Annotated Sheet

Fig. 2d

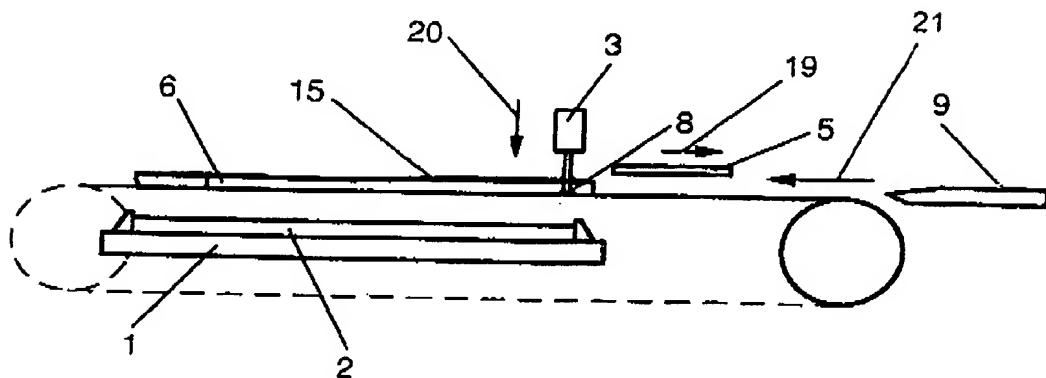


Fig. 3a

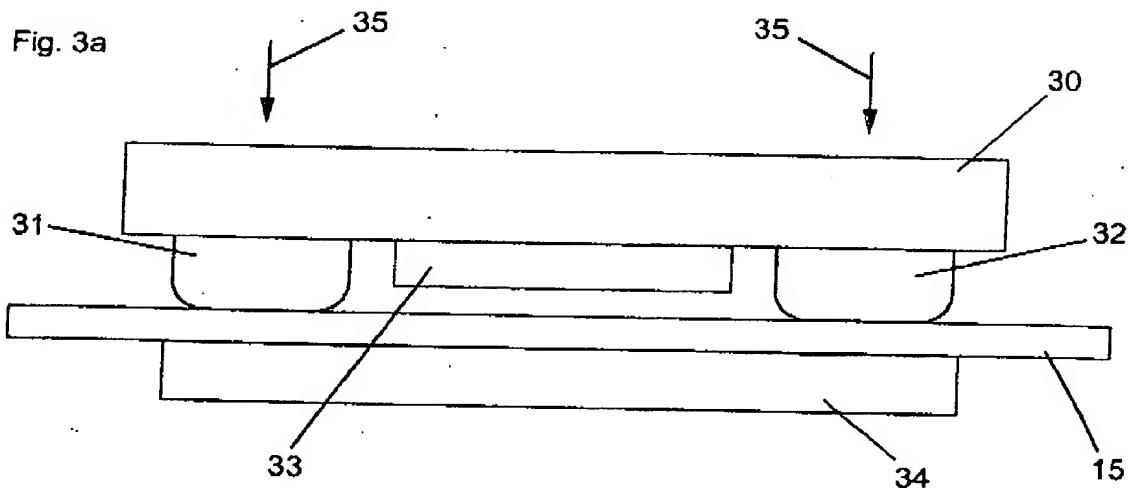


Fig. 3b

